

March 27, 2009

Dear Chairman Van Dyk and members of the House Fish, Wildlife and Parks committee:

Recently at the conclusion of a neighborhood meeting I was asked by a Trout Unlimited member to explain why Walleyes Unlimited of Montana (WUM) was trying to pass Senate Bill 425 which TU is not supporting. At this point a spouse of one of the legislators joined in the conversation and gave his narrative of what he had heard from TU. It was apparent that both of them had heard the same dialogue which contains inaccurate information. I'm concerned that TU has been transmitting this same message to many of the legislators. Therefore, I would like to clarify the facts concerning the Fort Peck Hatchery.

HISTORY OF THE FORT PECK HATCHERY BILL:

I was the Walleyes Unlimited of Montana State President in 1999 when the hatchery bill was passed and I have remained highly involved with all subject matter related to the hatchery since that time. The inspiration for "a warmwater fish hatchery located at Fort Peck Lake" was originated by "The Citizens for a Fort Peck Hatchery" which is comprised of anglers and businesses through out Montana. This diverse assemblage realized that for years Fort Peck Lake and numerous other Montana warmwater lakes and reservoirs had been under-stocked because of the limitations of the number and species of sport fish and forage fish that could be raised in the only warmwater fish hatchery located at Miles City. These limited resources resulted in poor angler catch rates, and poor quality sport fish which was due to insufficient quantity and quality of forage fish. This situation was negatively impacting businesses that relied on sport fishing and other outdoor related activities for their livelihood. Whenever anglers and businesses asked what could be done to improve the fisheries condition, FWP biologists always responded that warmwater fishing would remain poor until there was an additional warmwater fish hatchery to supplement the Miles City Hatchery. The citizens group contacted WUM and asked that we carry the hatchery bill for them. The legislative intent of the bill was to raise only warmwater sport fish and forage fish, chinook salmon and pallid sturgeon which is an endangered fish.

REASON FOR INSUFFICIENT O&M FUNDS FROM THE WARMWATER STAMP:

The hatchery design that the citizens group envisioned was for a much smaller and basic needs building, indoor egg incubating equipment and outdoor rearing ponds only, and did not include all the additional egg incubating equipment, rearing tanks and raceways, nor the lavish building that is incorporated in this hatchery. Warmwater fish rearing primarily requires egg incubating equipment and outdoor rearing ponds only, not concrete raceways and other equipment that is in the facility which is exclusively for coldwater fish rearing needs. The cost for the citizens envisioned hatchery was estimated at between 12 and 14 million dollars and the annual operating and maintenance (O&M) cost was estimated at \$200,000 per year. But with the inclusion of all the coldwater fish equipment the final cost was over 22 million dollars which increased the O&M to over \$400,000 per year. Gary Bertellotti was the Montana FWP hatchery manager at the time that the Fort Peck Hatchery was being designed and held that position through the completion of the hatchery. In his records at the FWP office in Helena, there are emails and correspondence between him and the Corp of Engineers attesting that FWP had full control of the design and construction for the current facility and that Corp of Engineers built the hatchery in compliance with his design instructions. The latest fiscal note confirms that the warmwater stamp generated close to \$300,000 in 2008. Therefore, had the hatchery been built to the design that was envisioned by the citizens group the warmwater stamp would have been more than sufficient to cover the annual O&M cost for the citizens envisioned hatchery. This is clear evidence that WUM did not have control of nor design the hatchery but continues to be blamed for the high O&M cost. No matter who is at fault, this state-of-the-art multispecies hatchery is reality and will be here for many years to serve a wide variety of fish stocking needs and has to be funded adequately.

HOW IS THE O&M FUNDED FOR THE OTHER STATE HATCHERIES:

The O&M for the nine coldwater fish hatcheries and the Miles City hatchery are funded from two sources: (1) general fishing license funds; ALL anglers that fish Montana waters pay this fee. (2) Wallop-Breaux funds;

this is a federal tax that ALL sportspersons pay on a wide variety of outdoor recreation products that range from firearms and ammunition to boats and boat motors, fish finders, rods and reels, hip waders, etc.

Note: Every year there is Wallop-Breaux funds left over after paying for the hatcheries O&M. FWP puts the left over funds into their general fund, and based on a legislative audit done last fall on FWP's general fund, the conclusion was; distribution of the remaining Wallop-Breaux funds in essence is very difficult to track.

SO WHAT IS THE SQUABBLE FROM TU ABOUT SENATE BILL 425:

I have been one of the persons representing WUM at the Anglers Forum since 1997. This forum meets twice a year and is made up of various sportsman organizations from around Montana and includes TU. TU is on record as being opposed to any hatchery operations. Furthermore, they are on record as being adamantly against raising trout in the Fort Peck Hatchery for reasons that are not totally related to this funding issue. From what I am told, they are also spreading the unfounded myth that if Wallop-Breaux and general license funds are used for Fort Peck O&M that it will take away funding from existing coldwater projects, and that is unsubstantiated. There are numerous coldwater projects that are already guaranteed funding every year such as Future Fisheries, etc. and these projects have funding earmarks from so many different sources that it is unbelievable. Who pays for these earmarked projects, all sportspersons that fish Montana waters. All sportspersons pay the Wallop-Breaux tax and general fishing license fee. Therefore it is very clear that these funds are not for the exclusive purpose to fund only Montana coldwater projects and coldwater hatcheries! I personally know many TU members that are not in agreement with TU's point of view. Furthermore, many sportspersons opinion is "it is a fish hatchery and should be maximized for the benefit of all Montana waters and sportspersons."

CONCLUSION:

Amendments in the bill authorizes FWP to raise any species of coldwater fish and that is what FWP wanted and yet it guarantees that propagation of warmwater species fish remains the priority and that FWP shall maximize production of warmwater to the greatest extend possible. Senate Bill 425 is a win-win situation for all sportspersons! Warmwater anglers are guaranteed maximum warmwater fish production and that warmwater fish remain the hatchery production priority and FWP receives authority to raise coldwater fish that in turn increases benefits for coldwater anglers. In addition, this bill does not increase sportspersons license fees or outdoor recreation products taxes which is one of the primary goals of all legislators and the governor this session. This bill equitably funds the Fort Peck Hatchery using identical funding authority that the other Montana hatcheries receive. Most importantly, your vote is for our future generation of Montanan's which is our children! The old saying is "the family that fishes together stays together." When families recreate together in our great Montana outdoors studies show that the children are less likely to get involved in using drugs and tobacco products and they become better citizens. I urge you to vote passage of this bill because everyone will be a winner and the controversy and finger pointing will end.

Sincerely,



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